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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/180,798	11/16/98	DE VRIES	S-137-1103/S

022847 HZ12/0215  
SYNGENTA  
3054 CORNWALLIS ROAD  
RESEARCH TRIANGLE PARK NC 27709

EXAMINER  
MEHTA, A

ART UNIT PAPER NUMBER  
1638 15

DATE MAILED: 02/15/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/180,798	11/16/98	DE VRIES	S-137-1103/S

EXAMINER	
Ashwin Mehta	
ART UNIT	PAPER NUMBER
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**Please find below a communication from the EXAMINER in charge of this application**

The reply filed on 30 November 2000 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicant on page 9 of the paper indicates that the rejections contained in paragraphs 19, 20, 21, 22, and 23 of the prior Office action would now be addressed. However, the 112 1st paragraph rejections of claims 6 and 17 (paragraph 22) and claims 16-44 and 46 (paragraph 23) were not addressed. Although these claims were cancelled, their subject matter appears in the newly presented claims. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

**§ 1.111 Reply by applicant or patent owner.**

(b) In order to be entitled to reconsideration or further examination, the applicant or patent owner must make request therefor in writing. The reply by the applicant or patent owner must distinctly and specifically point out the supposed errors in the examiner's action **and must respond to every ground of objection and rejection in the prior Office action.** If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated. The applicant's or patent owner's reply must appear throughout to be a *bona fide* attempt to advance the case to final action. A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.

(c) In amending in response to a rejection of claims in an application or patent undergoing reexamination, the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. (See § 1.135 and § 1.136 for time for reply.)

### **CLOSING REMARKS**

Any inquiry concerning this communication should be directed to Examiner Ashwin Mehta, whose telephone number is (703) 306-4540. The Examiner can normally be reached Monday-Friday, from 8:30 A.M. - 5:00 P.M. The fax phone number for the group is (703) 305-3014. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Paula Hutzell, can be reached at (703) 308-4310. Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist, whose telephone number is (703) 308-0196.

A handwritten signature in black ink, appearing to read "Amy Nelson", followed by a horizontal line.

Ashwin D. Mehta  
February 14, 2001

**AMY J. NELSON, PH.D**  
**PRIMARY EXAMINER**